

Action	Section Chapter 222 10/12/2015	Explanation of Changes since 10/1
Add new definitions.	30 TAC §222.5 Definitions. <u>Firm reclaimed water demand means the minimum volume of reclaimed water that can be guaranteed to be beneficially reused over a specified time.</u>	Deleted “beneficial reuse dispersal site”: not necessary because described in §222.128.
Add a new subparagraph.	30 TAC §222.121(d)(10) Dispersal Zones. (d) the permittee shall include in the dispersal zone design in the engineering report, including the following elements: <u>(10) the total volume of firm reclaimed water demand.</u>	Deleted “that will be transferred on a monthly basis”: as discussed during 10/5 meeting.
Add a new section	30 TAC §222.128. Reclaimed Water Dispersal Sites. (1) An applicant that relies upon firm reclaimed water demand to reduce the land required for the subsurface area dispersal system required under this Chapter, shall ensure that the dispersal sites for the reclaimed water have the appropriate authorization under 30 TAC Chapter 210 (<i>Use of Reclaimed Water</i>). (2) Reclaimed water dispersal sites described in subsection (1) must meet the distance standards set in 30 TAC §222.81 (<i>Buffer Zone Requirements</i>).	Deleted reference to §309.13(c)(1)-(3): unnecessary.
Add new subsection	30 TAC §222.43 Construction Notices to Regional Offices. <u>(e) The addition or modification of users or areas for firm reclaimed water demand does not constitute field layout or construction under this Section.</u>	
Amend existing language and add new section.	30 TAC §222.75 Site Preparation Plan. (a) The applicant shall develop and submit, with the permit application, a site preparation plan that illustrates how site preparation will alleviate potential site-specific limitations and ensure suitability for the subsurface area drip dispersal system of wastewater. This plan must include the following if applicable: (b) <u>A site preparation plan is not necessary for reclaimed water dispersal sites.</u>	
Add a new subsection.	30 TAC §222.157 Soil Sampling. (j) <u>The requirements in this section do not apply to reclaimed water dispersal sites.</u>	Deleted reference to subsection (a) of the section: clarity.
Add a new section	30 TAC §222.6 Firm Reclaimed Water Demand. (a) An applicant establishes that reclaimed water demand is firm when the applicant: (1) demonstrates to the satisfaction of the executive director that it is able to transfer a specific	Deleted reference to sales to customers; subsections referencing contracts and regulations: allows (a)(1) to be tailored to meet the

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	<p>volume of reclaimed water on a periodic basis; (2) demonstrates a specific amount of reclaimed water use by the applicant.</p> <p>(b) An applicant may demonstrate its ability to transfer reclaimed water on a periodic basis when it requires a user to accept a specific amount of reclaimed water by contract or by appropriate regulation.</p> <p>(c) Applicant must provide the executive director with a list of users and areas that receive firm reclaimed water demand. If the users or areas change, the applicant is required to provide an updated list within 30 days. A change in user or area is not an amendment to the permit.</p> <p>(d) Firm reclaimed water demand include the uses described in 30 TAC §210.32 (<i>Specific Uses of Reclaimed Water</i>).</p> <p>(e) Reclaimed water dispersal sites must meet the standards in 30 TAC §222.128 (<i>Reclaimed Water Dispersal Sites</i>).</p> <p>(f) An applicant cannot rely on a transfer of reclaimed water to a user if the user has been found substantially noncompliant, as described in 30 TAC §70.51, within the last five years.</p> <p>(g) Applicant is responsible for recording the volume of firm reclaimed water demand that is transferred.</p> <p>(h) If firm reclaimed water cannot be applied to reclaimed water dispersal sites or transferred, the applicant must provide an alternative method to dispose the reclaimed water and provide notice to the regional office.</p> <p>(i) An applicant and, to the extent applicable, user must maintain its authorization under 30 TAC Chapter 210 (<i>Use of Reclaimed Water</i>) during the term of the permit.</p> <p>(j) A permittee that relies on firm reclaimed water demand must receive an authorization required by 30 TAC Chapter 210 prior to initiating construction or, if already constructed, operating a subsurface area drip dispersal system.</p>	<p>specific needs of the applicant and ED. Added “contracts” and “regulations” in a separate subsection to make it clear that an applicant can meet its burden through contracts and regulations: simplify. Deleted reference to Type 1 reclaimed water uses: increase options (ex: industrial users). Added “or transferred” to subsection (h): addresses situation if the permittee is unable to transfer the reclaimed water. Added new subsection about having an authorization prior to construction or operation: acknowledge that a permittee cannot get an authorization under Chapter 210 before the Chapter 222 permit is issued.</p>